



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Indian Health Service
Rockville MD 20857

MAY 5 1994

To: Area Directors
Headquarters Employees

FROM: Associate Director
Office of Administration and Management

SUBJECT: Assignment of Special General Memorandum Number to
Memorandum dated April 14, 1994, Subject: Equal
Employment Opportunity Policy

Attached is a numbered Special General Memorandum (SGM) that was signed April 14, 1994, without an SGM Control Number. To correct this, the attached SGM has been assigned a number. The control number for this memorandum is SGM 94-3.

SGM 94-3 provides the official policy statement on Equal Employment Opportunity for the Indian Health Service.

All questions regarding this policy may be referred to the Equal Employment Opportunity and Civil Rights Staff on (301) 443-1108.


George Buzzard

Attachment



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Indian Health Service
Rockville MD 20857

SGM 94-3


APR I 4 1994

TO: Headquarters Employees
FROM: Director
SUBJECT: Equal Employment Opportunity Policy

Upon assuming my responsibilities as Director, Indian Health Service (IHS), I wish to emphasize my firm commitment to the principles of equal employment opportunity.

I fully endorse the attached messages from the Secretary and the Assistant Secretary for Health. Additionally, I am providing you with my official policy statement on equal employment opportunity for the IHS.

Every supervisor, manager, and employee at every level is expected to demonstrate this commitment to the principles of equal employment opportunity in all of their daily operations.


Michael H. Trujillo, M.D., M.P.H.

Attachments

INDIAN HEALTH SERVICE

EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT

The Indian Health Service (IHS) is fully committed to equal employment opportunity without regard to race, color, religion, gender, national origin, age, disability, or sexual orientation. I personally support the implementation of a strong affirmative employment program. It is IHS policy to provide equal opportunity in employment to all persons in the work force and all applicants for employment. Discrimination is prohibited in all aspects of the IHS personnel policies, program practices, program operations, working conditions, and relationships with employees and applicants.

I strongly promote the full realization of equal opportunity through continuing programs of affirmative employment at every management level within the IHS. We must subscribe to and implement to the fullest the provisions of Title VII of the Civil Rights Acts of 1964 and 1991, as amended; Executive Order 11478, as amended; the Age Discrimination in Employment Act of 1967; the Equal Pay Act of 1962, as amended; and the Vocational Rehabilitation Act of 1973, as amended. Provisions of the Indian Preference Law and Indian Preference policies that have evolved from the Indian Reorganization Act of 1934 will **be** consistently applied, and may supersede the above-cited Acts and Order.

All IHS managers and supervisors are expected to take an active, ongoing part in promoting and implementing our Affirmative Employment Plan (AEP). As evidence of our commitment, equal employment opportunity has been made a critical element in the performance plans of all Agency managers and supervisors. Our managers and supervisors are therefore required to dedicate themselves to the policy of meeting delegated responsibility in a manner that actively demonstrates their commitment to the AEP.

I intend to use every means at my disposal to eliminate discrimination and harassment of any **kind** within the IHS. Any employee or applicant who feels he/she has been subject to discrimination or harassment may use available remedies administered by their respective Equal Employment Opportunity Office Personnel Office, or union representative.

I expect full support from each manager and supervisor **in** meeting the objectives of **this** program. Periodic evaluations will be made to measure program accomplishments, and appropriate administrative action will be **taken** whenever indicated.


Michael H. Trujillo, M.D., M.P.H.

04/14/94
Date

THE SECRETARY OF ^{HEALTH} AND HUMAN SERVICES
WASHINGTON D.C. 20201

DEC 6 1993

A Special Message For All HHS Employees

The Department of Health and Human services has at the very core of our mission, responsibility for promoting the well being of all Americans. The respect and dignity with which we treat each other here in the Department is crucial to the successful completion of this mission.

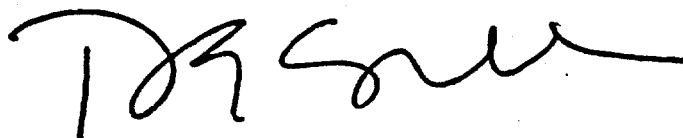
To foster an atmosphere of continuous improvement in our products and services, we must create an environment that fully utilizes the talents and capabilities of each and every one of us, from all backgrounds and at all organizational levels. And to do this, we must strengthen our commitment to a workplace that is free of discrimination or harassment of any kind - a workplace where no one is denied the opportunity to contribute fully because of race, color, religion, gender, national origin, age, disability, or sexual orientation.

My personal commitment to diversity and equality is longstanding and non-negotiable. Quite simply, diversity and inclusion are prerequisites to excellence. **I am determined that this Department will always be viewed as a model workplace, where everyone has an equal opportunity to serve**

Let me be clear, both discrimination and harassment are violations of the law as well as the policies of this Department. If you feel you have been the victim of discrimination or harassment, contact your local equal employment opportunity office, local union representative, or servicing personnel office. In addition, your local employee assistance program can help resolve workplace differences and counsel employees who feel they are being treated unfairly.

However, our commitment must go far beyond compliance with anti-discrimination laws. I am asking for the support of all managers, not just in their hiring and promotion decisions, but also in welcoming responsibility for nurturing and capitalizing on the very best that every employee has to give. And I am asking all employees to understand that a culturally diverse workplace is critical to our mission to serve all Americans.

Celebrating cultural diversity will help us better understand each other and our customers. And with better understanding comes a greater capacity to serve. That is our real goal, and it is one that I know we can achieve.



Donna E. Shalala



MAR 7 1994

PUBLIC HEALTH SERVICE

POLICY STATEMENT ON EQUAL EMPLOYMENT OPPORTUNITY

The Public Health Service has a proud heritage of protecting and advancing the health of the American people. As you know, the Secretary has stated her commitment to fairness and diversity. I am in complete agreement with her that the respect and dignity with which we treat each other here in PHS is indeed crucial to the success of our mission.

PHS must reflect an environment that is free of discrimination and harassment of any kind--for our workers and for those we serve throughout our programs. The talents and strengths of each and every one of us must be fully utilized. A diverse PHS is better able to meet the demands of our times. Diversity means inclusion -- hiring, developing, promoting and retaining all employees, without regard to race, color, national origin, sex, age, religion, sexual orientation, or that an individual may have a disability.

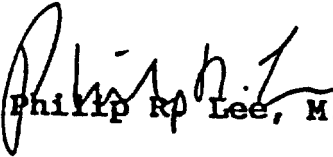
Each PHS manager and supervisor is responsible for assuring that the work environment encourages the best that every employee has to give. This means we must provide all employees with the opportunities, tools, and support systems they need to develop to their fullest potential and to contribute productively to the mission of the Public Health Service. My experience has proven that this is facilitated by helping employees balance work and family needs and providing appropriate accommodations and support systems for individuals with disabilities.

Discrimination and harassment of any kind will not be tolerated in the PHS. They are violations of law and of DHHS policies as well as being disruptive to the operations and the public perception of the organization. Employees or applicants for employment who feel they have been victims of discrimination or harassment may always exercise their legal rights by contacting the EEO office, local union representative or personnel office.

Although managers and supervisors must lead the way in ensuring complete support of diversity, every single employee can get involved and participate by exploring, understanding and valuing

the differences and cultures of others as well as their own. Only in this way can diversity become an integral feature of our organization, benefiting not only the individual but also the Public Health Service.

I know that I can count on you to join me in making the Public Health Service a leader in the area of work force diversity and support for the variety of the population we serve.


Philip R. Lee, M.D.



FEB 4 1994

Washington, D. C. 20201

MEMORANDUM TO OPDIV AND REGIONAL PERSONNEL AND EEO OFFICERS

Subj: Implementation of Department's Equal Employment Opportunity Policy

By memoranda dated December 6, 1993, the Secretary informed all HHS employees of the Department's policy on equal employment opportunity, and advised OPDIV and STAFFDIV Heads of their accountability for assuring that the policy is fully understood and complied with throughout their organizations. A copy of the policy is attached for your ready reference. The purpose of this memorandum is to provide guidance of implementation of the Department's policy.

Please review all of your internal issuances and local procedures which may be affected by this policy and revise them as necessary to comply with this revised policy. For example, nondiscrimination statements on vacancy announcements, as well as posters providing information concerning EEO counseling must be revised to add sexual orientation to existing bases. Training programs which cover diversity issues should be updated to reflect the Department's revised policy.

Existing policies and procedures regarding discrimination because of race, color, religion, gender, national origin, age, and disability remain in full force and effect, including procedures for addressing allegations of discrimination on these bases. With respect to allegations of discrimination or harassment because of sexual orientation, employees may elect to have such allegations addressed either under the procedures described in the attachment or under any other procedure which covers them. Nothing contained in this memorandum should be interpreted to abridge an employee's existing entitlement to present appropriate matters under a negotiated grievance procedure or to present to the Office of Special Counsel allegations concerning matters within that Office's jurisdiction.

As reflected in the attachment, allegations of discrimination or harassment because of sexual orientation may, at the employee's election, be the subject of a procedure which mirrors the existing precomplaint counseling and investigation processes. This procedure, which provides for an impartial decision on the allegations by the appropriate OPDIV official or RD, and, if necessary, an appellate decision by the Department's Director of EEO, is designed to ensure compliance with the Department's EEO policy.

Thomas S. McFee
Assistant Secretary for
Personnel Administration

Attachments

Attached to 5611 94-3, 5/12/94